

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

U.S. BANK NATIONAL ASSOCIATION,
AS TRUSTEE FOR STRUCTURE ASSET
INVESTMENT LOAN TRUST,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-4

v.

CALVIN ROACH *et al.*

Case No. 4:20-cv-01509

Judge Andrew S. Hanen

Magistrate Judge Frances H. Stacy

DECLARATION OF ATTORNEY AD LITEM

I, Matthew S. Parmet, am over 18 years of age, of sound mind, and fully competent to make this declaration. I have personal knowledge of the facts herein. I declare as follows:

A. APPOINTMENT

1. I was appointed to serve as an Attorney ad Litem in this matter to represent the interests of George Roch, Nathan Roch, and the Unknown Heirs at Law of William W. Roch, Jr., Charles Roch, and Kenneth Roch. (ECF No. 58.)

B. AAL'S BACKGROUND

2. I have been licensed to practice law in Texas since 2009 (Bar No. 24069719), Louisiana since 2010 (Bar No. 32855), California since 2014 (Bar No. 296742), and Colorado since 2019 (Bar No. 53046). I have also been admitted to the United States Supreme Court; the United States Courts of Appeals for the Fifth, Ninth, and Tenth Circuits, and 19 United States District Courts. My license is currently active and in good standing within all of these jurisdictions.
3. My current curriculum vitae is attached as Exhibit A.
4. I have been certified by the State Bar of Texas to serve as an Attorney ad Litem. A copy of my certification is attached as Exhibit B.
5. I have no conflict of interest with any party that would preclude me from accepting this appointment.

C. WORK UNDERTAKEN

6. William Roch passed away on or about October 3, 2017.

7. I have exercised reasonable diligence in attempting to locate George Roch, Nathan Roch, and the unknown heirs of William W. Roch, Jr., Charles Roch, and Kenneth Roch.
8. My search efforts were undertaken to locate George Roch, Nathan Roch, and the lawful heirs and successors of William W. Roch, Jr., Charles Roch, and Kenneth Roch. These efforts included the following:
 - a. **Review of Court file and Plaintiff's materials.** I have reviewed the file of material compiled by US Bank's attorneys. The information provided
 - b. **Property ownership interest.** The property made the basis of this suit is located at 16783 Springfield Dr., Conroe, TX 77302 (lots 168 and 169, block 16, Pioneer Trails, Section 4 in J.F. Springfield Survey A-749, Montgomery County). It is currently deeded to US Bank after being acquired from the original mortgagee, Capital One Mortgage Corporation. (ECF No. 1, at §§ II, IV, Ex. D.) The note was executed by William W. Roch, and a Deed of Trust was executed by William W. Roch and Ann Francis Roch. (ECF No. 1, at Exs. A, B.)
 - c. **Montgomery County Appraisal District (MCAD") Records.** The MCAD records for 16783 Springfield Dr., Conroe, TX 77302 (Property No. R140690) show "Roch, William W, Est" as the "100%" owner. The mailing address listed is the same as the property address.
 - d. **Tax office statements.** The tax statement with the Montgomery County Tax Office (account No. 0080300400300) reflects the same information as that provided by MCAD.
 - e. **Phone contact with heirs.** On July 2, 2021, I contacted Ashley Moore, Audrey Roch, and C.W. Roch by phone. The information provided by each of them was consistent with the conclusions below. My office also attempted to contact: Jenny Bell, who refused to take our call; Jason Cooke, Kevin Cooke, Victoria Jones, Megan Roch, and Kenneth Roch, Jr., for each of whom we left voicemails requesting a return call; Julie Lollar, Anthony Roch, and William Roch, III, each of whom no longer had working phone numbers; and Calvin Roch, whose phone number is now used by a new person.
 - f. **Mailings to heirs.** On July 2, 2021, my office sent correspondence to Jenny Bell, Jason Cooke, Kevin Cooke, Victoria Jones, Julie Lollar, Anthony Roch, Calvin Roch, Dee Dee Roch, Megan Roch, Nathan Roch, William Roch, III, and Kenneth Roch, Jr., informing each of the lawsuit and requesting information on George Roch and the heirs of William W. Roch, Jr., Charles Roch, and Kenneth Roch. As of the date of this declaration, a response was received only from an individual identifying herself as Rebecca Guidry, the stepsister of Diane Roch. The information obtained from Ms. Guidry was also

consistent with the conclusions below. As of the date of this report, the mailings to Kenneth Roch, Jr., and Calvin Roch were returned to my office.

- g. **Visit to Property.** I visited the Property on July 3, 2021. I spoke to an individual who was present who identified himself as William W. Roch, Jr.'s son Frank "Sam" Roch. Sam Roch informed me that he had recently been released from prison and had received some correspondence regarding this matter. Sam Roch did not have any information in addition to the summary listed in the conclusions below. Mr. Roch provided me with his phone number and email address. A follow-up email was sent to Mr. Roch containing information consistent with the conclusions below and requesting further information regarding the conclusions below. No response was received.
- h. **Probate records.** After a diligent search, no related probate records were found in Montgomery County or Harris County for George Roch, Nathan Roch, William W. Roch, Jr., Charles Roch, or Kenneth Roch.
- i. **Death records.** After a diligent search, no probate records were found in Montgomery County or Harris County for George Roch, Nathan Roch, William W. Roch, Jr., Charles Roch, or Kenneth Roch.
- j. **Obituary search.** After a diligent search, no traditional obituary was located for George Roch, Nathan Roch, William W. Roch, Jr., Charles Roch, or Kenneth Roch. However, an obituary for William W. Roch, Jr., was available on the website for Dignity Memorial. Messages listed on the website included those from Megan Velasco (Roch) (identifying herself as a granddaughter) and Jennifer Roch. Other messages and pictures specifically identifying family included a photo of "Bubba and Megan grandchildren" and "Nathan. Grandson."
- k. **Social media.** I searched for George Roch, William W. Roch, Jr., Charles Roch, and Kenneth Roch on Facebook. Although several persons with each name were located, none appeared to be the persons at issue in this matter. I located two individuals with Facebook profiles consistent with Nathan Roch. My office sent correspondence to both of the individuals in the profile, informing each of the lawsuit and requesting a return contact. As of the date of this declaration, no response has been received.

D. FINDINGS

- 9. My investigation, along with the investigation conducted by US Bank, revealed the following heirs of William W. Roch, Jr.:

Name	Relationship	Status	Children
Patricia Taylor	Daughter	Deceased	Kevin Cooke, Jason Cooke
William Roch, Jr.	Son	Deceased	William Roch, Jr., Julie Lollar, Jenny Bell, C.W. Roch

Charles Roch	Son	Deceased	Ashley Moore, Anthony Roch, Audrey Roch
Kenneth Roch	Son	Deceased	Kenneth Roch, Jr., Nathan Roch, Megan Roch
Calvin Roch	Son	Alive	
Frank "Sam" Roch	Son	Alive	
Dee Dee Roch	Daughter	Incompetent	Rebecca Guidry
George Roch	Son	Unknown	

10. In addition to the persons above, it is possible there was another child of Charles Roch who had been born when Charles was very young and placed for adoption. However, the persons US Bank and my office spoke to were unable to provide any additional information about this child, and (if true) it appears that the child did not have further contact with Charles known to these persons during his life.
11. Of these persons, Calvin Roch, Frank "Sam" Roch, Dee Dee Roch, George Roch, Kevin Cooke, Jason Cooke, Victroia Jones, William Roch, III, Julie Lollar, Jenny Bell, C.W. Roch, Ashley Moore, Anthony Roch, Audrey Roch, Kenneth Roch, Jr., Nathan Roch, and Megan Roch, were all named in the lawsuit. All except George Roch and Nathan Roch were served personally. (ECF Nos. 7-18.). George Roch and Nathan Roch were served by publication. (ECF No. 19, 50.)

E. CONCLUSION

12. I believe, based upon my work in this matter, that additional efforts to locate George Roch, Nathan Roch, and unknown heirs of William W. Roch, Jr., Charles Roch, and Kenneth Roch will not be successful. Based on the above, I am satisfied that George Roch, Nathan Roch, and unknown heirs of William W. Roch, Jr., Charles Roch, and Kenneth Roch cannot be located except as stated above.

F. AAL'S FEES AND EXPENSES

13. My office and I have spent considerable time conducting this investigation. I have also incurred out-of-pocket expenses. Because the work is not yet complete in this matter, I will file a request for fees once work has been completed.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 13, 2021.

/s/ Matthew S. Parmet

Matthew S. Parmet